

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

IMAGIMED LLC, et al.<sup>1</sup>,

Debtors.

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Chapter 11

Lead Case No. 14-22415(RDD)  
(Jointly Administered)

**ORDER APPROVING DEBTORS' FIRST AMENDED  
DISCLOSURE STATEMENT AND SCHEDULING HEARING TO CONSIDER  
CONFIRMATION OF DEBTORS' FIRST AMENDED PLAN OF REORGANIZATION  
UNDER 11 U.S.C. § 1129 AND GRANTING RELATED RELIEF**

The debtors and debtors in possession herein (the “Debtors”) having sought, on due and sufficient notice, approval pursuant to 11 U.S.C. § 1125 of a disclosure statement for a plan of reorganization under chapter 11 of the Bankruptcy Code and authorization to solicit acceptances of such plan; and upon the record of the hearing held by the Court on such request on November 7, 2016, at which the Court made certain comments on and raised certain questions with respect to the proposed disclosure statement; and the Debtors having addressed such comments and questions by having filed the Debtors’ First Amended Joint Plan of Reorganization, dated November 17, 2016 [ECF Doc. No. 217] (the “Plan”) and the Debtors’ First Amended Disclosure Statement, dated November 17, 2016 [ECF Doc. No. 218] (the “Disclosure Statement”); and the Court having determined that, in light of the revisions contained in the Disclosure Statement, the Disclosure Statement contains adequate information for purposes of 11 U.S.C. § 1125 and that no further notice or hearing to consider approval of the Disclosure

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<sup>1</sup> Debtors include: Imagimed, LLC - 02-0655880; Open MRI of Brewster, LLC – 02-0701774; Open MRI of DeWitt, LLC – 16-1596886; Open MRI of Fishkill LLC – 14-1827538; Open MRI of Middletown, LLC – 43-1868398, Open MRI of Tarrytown LLC – 57-1154134; Open MRI of Williamsport, LLC – 23-3091979; Open MRI of Yorktown LLC – 13-3973385.

Statement is required; and good and sufficient cause appearing, it is hereby

**ORDERED** that the Disclosure Statement is approved as containing adequate information as required by 11 U.S.C. § 1125; and it is further

**ORDERED** that the Debtors are authorized to distribute the Plan and Disclosure Statement (as it may be non-materially modified) and to solicit acceptances or rejections of the Plan by those entitled to vote to accept or reject the Plan; and it is further

**ORDERED** that, in accordance with Fed. R. Bankr. P. 3017.1 and Local Bankruptcy Rule 3017-1, by the close of business on November 18, 2016, the Debtors shall serve, by ordinary mail, on all known creditors, interest holders, the U.S. Trustee and other parties in interest, a copy of this Order, the Plan, the Disclosure Statement, and (to those entitled to vote to accept or reject the Plan, a ballot in conformity with Official Form 314 (the "Ballot") (with instructions for returning the Ballot); and it is further

**ORDERED** that the last date by which the those entitled to vote on the Plan may accept or reject the Plan is December 13, 2016 at 4:00 p.m. Eastern time ("Voting Deadline"); and it is further

**ORDERED** that the Court authorizes Jonathan S. Pasternak, Esq. to act as the balloting agent with respect to the Plan (the "Balloting Agent") and that, to be counted, Ballots for accepting or rejecting the Plan must be completed, signed, and **actually received** by the Balloting Agent by the Voting Deadline in accordance with the instructions set forth on the Ballot; and it is further

**ORDERED** that the Balloting Agent shall inspect, monitor and supervise the solicitation process and shall be responsible for tabulating Ballots and certifying to the Court the outcome of

the balloting. The Balloting Agent shall file a voting tabulation report with the Court no later than 5:00 p.m. (prevailing Eastern Time) on December 15, 2016 as provided in Local Rule 3018-1; and it is further

**ORDERED** that, pursuant to 11 U.S.C. §§ 105(d)(2)(B)(vi) and 1125(f)(3) and Fed. R. Bankr. P. 2002(b) and 9006, a hearing shall be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, 300 Quarropas Street, Courtroom 118, White Plains, New York, 10601 on December 20, 2016 at 10:00 a.m., or as soon thereafter as counsel may be heard, to consider: (1) confirmation of the Plan pursuant to § 1129 of the Bankruptcy Code and (2) final applications for allowance of professional compensation and reimbursement of expenses, with such other and further relief as is proper under the circumstances; and it is further

**ORDERED** that final applications for professional compensation and reimbursement of expenses shall be filed, and notice thereof served, no later than November 30, 2016; and it is further

**ORDERED** that December 13, 2016 at 4:00 p.m. is fixed as the deadline for filing and serving any written objections to (a) confirmation of the Plan or (b) final applications for allowance of professional compensation and reimbursement of expenses, which objections, if any, shall be filed with the Bankruptcy Court at the Court's website [www.nysb.uscourts.gov/](http://www.nysb.uscourts.gov/) (login and password required) and served upon DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, counsel for the Debtor, One North Lexington Avenue, White Plains, NY 10601, attn.: Jonathan S. Pasternak, Esq. and the U.S. Trustee, with a copy delivered directly to the Court's chambers.

Dated: White Plains, New York  
November 17, 2016

/s/Robert D. Drain  
HONORABLE ROBERT D. DRAIN  
UNITED STATES BANKRUPTCY JUDGE